

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

AMPEX CORPORATION,	)	<b><u>REDACTED</u></b>
	)	
Plaintiff,	)	
	)	
v.	)	C.A. No. 04-1373-KAJ
	)	
EASTMAN KODAK COMPANY,	)	
ALTEK CORPORATION and CHINON	)	
INDUSTRIES, INC.,	)	
	)	
Defendants.	)	

**DEFENDANTS' MOTION TO EXCLUDE THE TESTIMONY OF CAROL SCOTT  
UNDER RULE 702**

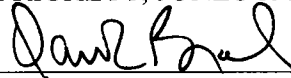
Eastman Kodak Company ("Kodak"), Altek Corporation ("Altek"), and Chinon Industries ("Chinon") (collectively, the "Defendants") move this Court to exclude the testimony of Carol Scott, PhD., Ampex Corporation's ("Ampex") proposed expert on **REDACTED**

**REDACTED**

Rule 702 prohibits "expert opinions" to be provided at trial unless: "(1) the testimony is based upon sufficient facts or data, (2) the testimony is the product of reliable principles or methods, and (3) the witness has applied the principles and methods reliably to the facts of the case." Fed R. Evid. 702. Dr. Scott's testimony is not based upon sufficient facts or data and is not the product of reliable principles or methods as required by Rule 702. Dr. Scott's testimony, therefore, should be precluded.

WHEREFORE, Defendants respectfully move for an order precluding the testimony of Dr. Scott at trial. In support of this motion, Defendants submit their Opening Brief In Support Of Defendants' Motion To Exclude The Testimony Of Carol Scott Under Rule 702.

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**CERTIFICATE OF SERVICE**

I hereby certify that on May 31, 2006, I electronically filed the following document with the Clerk of the Court using CM/ECF which will send notification of such filing to the following:

**DEFENDANTS' REDACTED MOTION TO EXCLUDE THE TESTIMONY OF  
CAROL SCOTT UNDER RULE 702**

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I hereby certify that on May 31, 2006, I have forwarded the above-noted document to the following as noted below:

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